

The Project Gutenberg eBook of By The Sea

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: By The Sea

Author: Heman White Chaplin

Release date: October 12, 2007 [eBook #23001]
Most recently updated: February 24, 2021

Language: English

Credits: Produced by David Widger

*** START OF THE PROJECT GUTENBERG EBOOK BY THE SEA ***

BY THE SEA

By Heman White Chaplin

Contents

- [I.](#)
 - [II.](#)
 - [III.](#)
 - [IV.](#)
 - [V.](#)
-

I.

On the southeastern coast of Massachusetts is a small village with which I was once familiarly acquainted. It differs little in its general aspect from other hamlets scattered along that shore. It has its one long, straggling street, plain and homelike, from which at two or three different points a winding lane leads off and ends abruptly in the water.

Fifty years ago the village had a business activity of its own. There still remain the vestiges of a wharf at a point where once was a hammering ship-yard. Here and there, in bare fields along the sea, are the ruins of vats and windmills,—picturesque remains of ancient salt-works.

There is no visible sign left now of the noisy life of the ship-yards, except a marble stone beneath a willow in the burying-ground on the hill, which laments the untimely death of a youth of nineteen, killed in 1830 in the launching of a brig. But traces of the salt-works everywhere remain, in frequent sheds and small barns which are wet and dry, as the saying is, all the time, and will not hold paint. They are built of salt-boards.

There were a good many of the people of the village and its adjoining country who interested me very greatly. I am going to tell you a simple event which happened in one of its families, deeply affecting its little history.

James Parsons was a man perhaps sixty years of age, strongly built, gray-haired, cleanshaven except for the conventional seaman's fringe of beard below the chin, and always exquisitely neat. Whether you met him in his best suit, on Sunday morning, or in his old clothes, going to his oyster-beds or his cranberry-marsh, it was always the same. He was usually in his shirt-sleeves in summer. His white cotton shirt, with its easy collar and wristbands, seemed always to have just come from the ironing-board. "It ain't no trouble at all to keep James clean," I have heard Mrs. Parsons say, in her funny little way; "he picks his way round for all the world just like a pussycat, and never gets no spots on him, nowhere."

You saw at once, upon the slightest acquaintance with James, that while he was of the same general civilization as his neighbors, he was of a different type. In his narrowness, there was a peculiar breadth and vigor which characterized him. He had about him the atmosphere of a wider ocean.

His early reminiscences were all of that picturesque and adventurous life which prevailed along our coasts to within forty years, and his conversation was suggestive of it. He held a silver medal from the Humane Society for conspicuous bravery in the rescue of the crew of a ship stranded in winter in a storm of sleet off Post Hill Bar. He had a war-hatchet, for which he had negotiated face to face with a naked cannibal in the South Sea. He was familiar with the Hoogly.

His language savored always of the sea. His hens "turned in," at night. He was full of sayings and formulas of a maritime nature; there was one which always seemed to me to have something of a weird and mystic character: "South moon brings high water on Coast Island Bar." In describing the transactions of domestic life, he used words more properly applicable to the movements of large ships. He would speak of a saucepan as if it weighed a hundred tons. He never tossed or threw even the slightest object; he hove it. "Why, father!" said Mrs. Parsons, surprised at seeing him for a moment untidy; "what have you ben doing? Your boots and trousers-legs is all white!" "Yes," said Mr. Parsons, apologetically, looking down upon his dusty garments, "I just took that bucket of ashes and hove 'em into the henhouse."

The word "heave," in fact, was always upon his tongue. It applied to everything. "How was this road straightened out?" I asked him one day; "did the town vote to do it?" "No, no," he said quickly; "there was n't never no vote. The se-lec'men just come along one day, and got us all together, and hove in and hove out; and we altered our fences to suit."

I remember hearing him testify as a witness to a will. It appeared that the testator was sick in bed when he signed the instrument. He was suffering greatly, and when he was to sign, it was necessary to lift him with the ex-tremest care, to turn him to the light-stand. "State what was done next," the lawyer asked of James. "Captain Frost was laying on his left side," said James. "Two of us took a holt of him and rolled him over."

He had probably not the least suspicion that his language had a maritime flavor. I asked him one night, as we coasted along toward home, "What do seafaring men call the track of light that the moon makes on the water? They must have some name for it" "No, no," he said, "they don't have no name for it; they just call it 'the wake of the moon.'"

James's learning had been chiefly gained from the outside world and not from books. I have heard him lay it down as a fact that the word "Bible" had its etymology from the word "by-bill" (hand-bill). "It was writ," he said, "in small parcels, and they was passed around by them that writ 'em, like by-bills; and so when they hove it all into one, they called it the Bible."

But while James had little learning himself, he appreciated it highly in others. I had occasion to ask him once why it was that the son of one of his neighbors, in closing up his father's estate, had not settled his accounts regularly in the probate court. "Oh, I know how that was," he replied; "he settled 'em the other way. You see, he went to the college at Woonsocket, and he learned there how to settle accounts the other way; and that's the way he settled 'em." And then he added, "When Alvin left the college, they giv' him a book that tells how to do all kinds of business, and what you want to do so's to make money; and Alvin has always followed them rules. The consequence is, he's made money, and what he 's made, he 's kep' it. I suppose he's worth not less than sixteen hundred dollars."

Sometimes he would venture a remark of a gallant nature. "They don't generally git the lights in the hall so as to suit me," he once said. "I don't want it too light, because then it hurts my eyes; but I want it light enough so as 't I can see the women!"

James was a large, strong man, but Mrs. Parsons, although she was little and slight, and was always ailing, constantly assumed the rôle of her husband's nurse and protector, not only in household matters, but in other affairs of life. Whenever she had visitors,—and she and James were hospitable in the extreme,—she was pretty sure to end up, sooner or later, if James were present, with some droll criticism of him, as much to his delight as to hers.

James sometimes liked to affect a certain harshness of demeanor; but the disguise was a transparent one. How well do I remember the time—oh, so long ago!—when for some reason or other I happened to have his boat instead of my own, one day, with one of the boys of the village, to go to Matamet, twelve miles off, to visit certain lobster-pots which we had set. We were delayed there by breaking our boom, in jibing. We should have been at home at noon; at seven in the evening we were not yet in sight. When we got in, rather crestfallen at our disaster, particularly as the boat was wanted for the next day, James met us at the pier. We were boys then, and his tongue was free. As he stood there on the shore, bare-headed, hastily summoned

from his house, with his hair blowing in the wind, waving his hands and addressing first us and then a knot of men who stood smoking by, no words of censure were too harsh, no comment on our carelessness too cutting, no laments too keen over the irreparable loss of that particular boom. The next time I could take my own boat, if I were going to get cast away. And I remember well how he ended his tirade. "I did n't care nothing about you two," he said. "If you want to git drowned, git drowned; it ain't nothing to me. All I was afraid of was that you 'd gone and capsized my boat, and would n't never turn up to tell where you sunk her. But as for you—" and he laughed a laugh of heartless indifference.

But ten minutes later, and right before his face, at his own front gate, Mrs. Parsons betrayed him. "I never see father so worried," she said, "sence the time he heard about Thomas; why, he 's spent the whole afternoon as nervous as a hawk, going up on the hill with his spy-glass; and I don't feel so sure but what he was crying. He said he did n't care nothing about the boat,—'What 's that old boat!' says he; but if you boys was drowned out of her, he would n't never git over it." At which James, being so unmasked, laughed in a shamefaced way, and shook us by the shoulders. He had a son who carried on some sort of half-maritime business on one of the wharves, in the city, and lived over his shop. When James went at intervals to visit him, he made his way at once from the railway station to the nearest wharf; then he followed the line of the water around to the shop. Where jib-booms project out over the sidewalk, one feels so thoroughly at home! From the shop he would make short adventurous excursions up Commercial Street and State Street, sometimes going no farther than the nautical-instrument store on the corner of Broad Street, sometimes venturing to Washington Street, or even moving for a short distance up or down in the current of that gay thoroughfare. He loved to comment satirically on the city, with a broad humorous sense of his own strangeness there. "The city folks don't seem to have nothing to do," he said. "They seem to be all out, walking up and down the streets. Come noon, I thought there'd be some let-up for dinner; but they did n't seem to want nothing to eat; they kep' right on walking."

I must not leave James Parsons without telling you of two whale's teeth which stand on his parlor mantel-piece; he ornamented them himself, copying the designs from cheap foreign prints. One of them is what he calls "the meeting-house." It is the high altar of the Cathedral of Seville. On the other is "the wild-beast tamer." A man with a feeble, wishy-washy expression holds by each hand a fierce, but subjugated tiger. His legs dangle loosely in the air. There is nothing to suggest what upholds him in his mighty contest.

II.

Now we must turn from James Parsons to a man of a different type, or rather of a different variety of the same type; for they descend alike from original founders of the town, and, like most of their fellow-townsmen, are both of unqualified Pilgrim stock.

To get to Captain Joseph Pelham's house, you have to drive along a range of hills for some miles, skirting the sea; then you come, half-way, to a bright modern village with trees along the main street, with houses and fences kept painted up, for the most part, but here and there relieved by an unpainted dwelling of a past generation.

Here you have an option. You may either pursue your road through the high-lying prosperous street, with peeps of salt water to the right, or you may turn sharply off at a little store and descend to the lower road. It is always a struggle to choose.

The road to the beach descends a sharp, gravelly hill, and crosses a bridge. Then you come out on a waste of salt-marsh, threaded by the creek, broken by wild, fantastic sand-hills, grown over by beach-grass which will cut your fingers like a knife. You drive close along the white, precipitous beach; you pass the long, shaky pier, with half-decayed fish-houses at the other end, and picturesque heaps of fish-cars, seines, and barrels. Then the road, following the shore a little longer, climbs the hill and enters the woods. Two miles more and you come out to fields with mossy fences, and occasional houses.

The houses begin to be more frequent. All at once you enter the main street of W——.

In a moment you see that you have come into a new atmosphere. There is a large modern church among the older ones. There are large, fine houses, some old-fashioned, others new. By some miraculous intervention Queen Anne has not as yet made her appearance. There are handsome, well-filled stores, going into no little refinement in stock. There is, of course, a small brick library, built by the bounty of a New Yorker who was born here. There is a brick national bank, and a face brick block occupied above by Freemasons, orders of Red Men, Knights Templars, and the Pool of Siloam Lodge, I. O. O. F., and below by a savings bank and a local marine insurance company.

It is here that we shall find Captain Joseph Pelham. If a stranger has occasion to inquire for the leading men of the place he is always first referred to him. It is he who heads every list and is the chairman of every meeting. When a certain public man, commanding but a small following here, appeared, upon his campaign tour, and found no one to escort him to the platform and preside, so that he was obliged to justify his appearance here by the Scripture passage, "They that are whole need not a physician, but they that are sick;" at the moment of entering the hall, closely packed with curious opponents, disposed perhaps to be derisive when the situation for the visitor was embarrassing in the extreme,—it was Captain Joseph Pelham who, though the bitterest opponent of them all, rose from his seat, gave the speaker his arm, escorted him to the platform, presented him with grave courtesy to the audience, and sat beside him through the entire discourse.

While Captain Pelham continued to go to sea, and after that, until he was made president of the insurance company, he lived a mile or two out of the town, in a house he had inherited. It is picturesquely situated, on a bare hill, with a wide view of the inland and the ocean. As you look down from its south windows, the cluster

of houses nestling together at the shore below stand sharply out against the water. It is one of those white houses common in our older towns,—two-storied, long on the street, with the front door in the middle. Of the interior it is enough to say that its owner had sailed for thirty years to Hong-Kong, Calcutta and Madras. It had a prevailing odor of teak and lacquer. In the front hall was a vast china cane-holder; a turretted Calcutta hat hung on the hat-tree; a heavy, varnished Chinese umbrella stood in a corner; a long and handsome settee from Java stood against the wall. In the parlors, on either hand, were Chinese tables shutting up like telescopes, elaborate rattan chairs of different kinds, and numberless other things of this sort, which had plainly been honestly come by, and not bought.

Then, if you met the Captain's favor, he would show you with becoming pride some family relics, and tell you about them. They came mostly from his paternal grandfather, who was a shipmaster too, had commanded a privateer in the Revolution, and made a fortune. There were a number of pieces of handsome furniture,—these you could see for yourself. What would be shown you, with a half-diffident air, would be: a silver mug; two Revere tablespoons; a few tiny teaspoons marked F.; a handsome sword and scabbard; a yellow satin waistcoat and small-clothes; portraits, not artistic, but effective, of his grandfather, in a velvet coat and knee-breeches, with a long spyglass in his hand, and of his grandmother, a strong, matter-of-fact looking woman, handsomely dressed.

But the thing which the Captain secretly treasured most, but brought out last, was his grandmother's Dutch Bible. It is a curious old book; you can see it still if you wish. It has an elaborate frontispiece. Sixteen cuts of leading incidents in Scripture history conduct you by gentle stages, from Eden, through the offering of Isaac, to the close of the Evangelists, and surround Dr. Martin Luther, who, in a gown, holds back the curtains of a pillared alcove, to show you, through two windows, an Old and a New Testament landscape, and a lady sitting beneath a canopy, with an open volume. The covers are of thick bevelled board covered with leather. There was once a heavy clasp. The edges are richly gilded, and figures are pricked in the gilding. It is very handsomely printed. It was in the possession, in 1760, of a young New England girl, the Captain's grandmother. There is a story about it,—a story too long to tell here. Suffice it to say that the Captain's ancestor, who settled early in New England, came from Leyden shortly after Mr. John Robinson. A hundred years later and more, in the oddest way, an acquaintance sprang up with certain Dutch connections, and in the course of it this Bible, then new and elegant, found its way over the sea as a gift to young Mistress Preston. In New England, and as a relic of the early ties of our people with Holland, momentarily renewed after a century had passed away, it is probably unique. It was a last farewell from Holland to her English children, before she parted company with them forever.

I have told you about this house, as I recall it, although Captain Pelham had now ceased to live there, because it was there alone that he seemed completely at home. Furnished as it was from the four quarters of the globe, everything seemed to fit in with his ways. He supplemented the Chinese tables, and they supplemented him. But when he ceased to go to sea, in late middle life, and settled down at home upon his competency, and began a little later to become interested in public matters; when he was at last made president of the insurance company, a director in the bank, and a trustee in the savings bank, and when affairs were left more and more to his control, it became convenient for him to get into town; and his wife and daughter were perhaps ambitious for the change.

So he had sold his house by the sea, and had bought a large and somewhat pretentious one on the main street, with a cast-iron summer arbor, and a bay-window closed in for a conservatory. He had furnished it from the city with new Brussels carpet, with a parlor set, a sitting-room set, a dining-room set, and chamber sets; and the antique things which had given his former home an air of charming picturesqueness were for the most part tucked away in unnoticed corners.

The Captain never seemed to me to have become quite naturalized in his new home. He never belonged to the furniture, or the furniture to him. The place where you saw him best in these later days was in the office of his insurance company, or in the little business-room of one of the banks, surrounded by a knot of more substantial townsmen, or talking patiently with some small farmer or seafaring man seeking for insurance or a loan. One of the most marked features of his character was a certain patience and considerateness which made all borrowers apply by preference to him. He would sit down at his little table with a plain man whose affairs were in disorder, and listen with close attention to his application for a loan. Somehow the man would find himself disclosing all the particulars of his distress. Then Captain Pelham, in his quiet way, would go over the whole matter with him; would plan with him on his concerns; would try to see if it were not possible to postpone a little the payment of debts and to hasten the collection of claims; to get a part of the money for a short time from a son in Boston or a married daughter in New Bedford; and so, by pulling and hauling, to weather the Cape.

I must say a word about his position in town matters. He had been at sea the greater part of the time from sixteen to fifty-two. During that time he had had absolutely no concern with political affairs. He had never voted: for he had never, as it had happened, been ashore at the time of an election. And yet before he had been at home six years he was one of the selectmen of the town and overseer of the poor, and had become familiar with the details of Massachusetts town government, superficially so simple, in fact so complex. It was a large town, of no small wealth. Lying as it did along the seaboard, where havoc was always being made by disasters of the sea, there was not only a larger number than in an inland town of persons actually quartered in the poorhouse, but there were many broken families who had to be helped in their own homes. And it was to me an interesting fact that in dealing with two score households of this class, Captain Pelham, who had spent most of his time at sea, was able to display the utmost tact and judgment. He applied to their affairs that same plain kindness and sound sense which he showed in the matter of discounts at the bank.

While the friendships of Captain Pelham were chiefly in his own town, his acquaintance was not confined to it. In his own quiet, unpretending way he was something of a man of the world. He was known in the marine insurance offices in the large cities. He had been familiar all his life with large affairs; he had commanded valuable ships, loaded with fortunes in teas and silks, in the days when an India captain was a merchant.

III.

You will ask me why it is that I have been telling you about these men, and what it is that connects them.

It was now ten years since Captain Pelham's only son, himself at twenty-two the master of a vessel, had married a daughter of James Parsons,—a tall, impulsive, and warm-hearted girl,—one of those girls to whom children always cling. Both James Parsons's daughters had proved attractive and had married well. It had been a disappointment in Captain Pelham's household, perhaps, that this son, their especial pride, should not have married into one of the wealthy families in his own village. At first there had been a little visiting to and fro; it had lasted but a little time, and then the two households had settled down, as the way is in the country, to follow each its own natural course of living. George Pelham's wife had always lived in an odd little house, all doors and windows, near by her father, in her native village.

It was from Porto Cabello that that message came,—yellow fever—a short sickness—a burial in a stranger's grave. George Pelham's wife had been for two or three years of less than her usual strength. It was not long after that news came,—came so suddenly, with no warning,—that she began to fade away; and after ten months she died.

I remember seeing her a week or two before her death. Her bed had been set up in her little parlor for the convenience of those who were attending upon her. She lay on her back, bolstered up. The paleness of her face was intensified by her coal-black hair, lying back heavy on the pillow. Her hands were thin and transparent, and I remember well the straining look in her eyes as she talked with me about the boy whom she was going to leave.

She was living, as I have said, close by her father. It was natural that in the last few days of her illness the child should be taken to her father's house, and when she died and the funeral was over, it was there that he returned.

Picture now to yourself a boy toward nine years old, symmetrically made, firm and hard. His head is round, his features are good, his hair is fine and lies down close. He is clothed in a neat print jacket, with a collar and a little handkerchief at the neck, and a pair of short trousers buttoned on to the jacket. He is barefoot. He is tanned but not burnt. His complexion is of a rich dark brown. He is always fresh and clean. But the great charm about him is the expression of infinite fun and mirth that is always upon his face. Never for a moment while he is awake is his face still. Always the same, yet always shifting, with a thousand varying shades of roguish joy. Quick, bright, full of boyish repartee, full of shouts and laughter. And the same incessant life which plays upon his face shows itself in every movement of his limbs. Never for a moment is he still unless he has some work upon his hands. He has his little routine of tasks, regularly assigned, which he goes through with the most amusing good-humor and attention. It is his duty to see that the skiffs are not jammed under the wharf on the rising tide; to sweep out the "Annie" when she comes in, and to set her cabin to rights; to set away the dishes after meals, and to feed the chickens. Aside from a few such tasks, his time in summer is his own. The rest of the year he goes to the "primary," and serves to keep the whole room in a state of mirth. He has the happy gift that to put every one in high spirits he has only to be present. Such an incessant flow of life you rarely see. His manners are good, and he comes honestly by them.

There is an amusing union in him of the baby and the man. While the children of his age at the summer hotel walk about for the most part with their nurses, he is turned loose upon the shore, and has been, from his cradle. He can dive and swim and paddle and float and "go steamboat." He can row a boat that is not too heavy, and up to the limit of his strength he can steer a sail-boat with substantial skill. He knows the currents, the tides, and the shoals about his shore, and the nearer landmarks. He knows that to find the threadlike entrance to the bay you bring the flag-staff over Cart-wright's barn. He has vague theories of his own as to the annual shifting of the channel. He knows where to take the city children to look for tinkle-shells and mussels. He knows what winds bring in the scallops from their beds. He knows where to dig for clams, and where to tread for quahaugs without disturbing the oysters. He has a good deal of fragmentary lore of the sea.

Every morning you will hear his cry, a sort of yodel, or bird-call, peculiar to him, with which he bursts forth upon the world. Then you will hear, perhaps, loud peals of laughter at something that has excited his sense of the absurd,—contagious laughter, full of innocent fun.

Then he will appear, perhaps, with his wooden dinner-bucket,—he is going off with his grandfather for the day,—and will yodel to the old man as a signal to make haste. Then you will hear him consulting with some one upon the weather.

All this time he will be going; through various evolutions, swinging in the hammock, sitting on the fence, opening his bucket to show you what he has to eat, closing the bucket and sitting down upon the cover, or turning somersaults upon the grass. Then he will encamp under an apple-tree to wait until his grandfather appears, enlivening the time by a score of minute excursions after hens and cats. Then he will go into the house again, and rock while the old man finishes his coffee, sure of a greeting, confident in a sense of entire good-fellowship, until the meal is finished, and James Parsons is ready to take his coat and a red-bladed oar, and set out. Then the boy is like a setter off for a walk,—all sorts of whimsical expressions in his face, of absolute delight; every form of extravagance in his bearing. The only trouble is, one has to laugh too much; but with all this, something so manly, so companionable.

He is no little of a philosopher in his way. He has been a great deal with older people, and has caught the habit of discussion of affairs, or rather, perhaps, of unconsciously reflecting forth discussions which he has heard. He has an infinite curiosity upon all matters of human life. He likes, within limits, to discuss character.

In the boat his chief delights are to talk, to eat cookies, and to steer. When it is not blowing too hard for him to stand at the tiller, he will steer for an hour together, watching with the most constant care the trembling of the leach.

It makes no difference to him at what hour he returns,—from oystering or from the cranberry-bog. If it is in the middle of the afternoon, good and well. Instantly upon landing he will collect a troop of urchins; in an incredibly short space of time there will be a heap of little clothes upon the bank; in a moment a procession of small naked figures will go running down to the wharf, diving, one after the other. If distance or tide or a calm keeps him out late, so much the better. In that case there is the romance of coasting along the shore by night; of counting and distinguishing the lights; of guessing the nearness to land from the dull roar of the sea breaking on the beach. "Don't you think," he will sometimes say, "that we are nearer shore than we think we are?"

It is amusing sometimes, on a distant voyage of fifteen or twenty miles, after seed oysters, when a landing is made at some little port, to see him drop the mariner at once and become a child, with a burning desire to find a shop where he can buy animal-crackers. Finding such a place,—and usually it is not difficult,—he will lay in a supply of lions and tigers, and then go marching about with great delight, with mockery in his eyes, keenly appreciating the satire involved in eating the head off a cooky lion, incapable of resistance.

No picture of Joe would be complete which left out his dog. Kit was a black, fine-haired creature, smaller than a collie, but of much the same gentle disposition,—a present from Captain Pelham. When Kit was first presented to the boy he domesticated himself at once, and in a week it was impossible to tell, from his relations with the household, which was boy and which was dog. They were both boys and they were both dogs. Kit had an unqualified sense of being at home, and of being beloved and indispensable. It was long before he became a sailor. When, at the outset, it was attempted to make a man of him by taking him when they went out to fish, the failure seemed to be complete. He was a little sea-sick. Then he was sad, and sighed and groaned as dogs never do on shore. He would not lie still, but was nervous and feverish. Once he leaped out of the boat and made for shore, and had to be pursued and rescued, exhausted and half-drowned. Still, whenever he had to be left at home, it was a struggle every time to reconcile him and leave him. Once he pursued a boat which he mistook for James's along the shore of the bay, half down to Benson's Narrows, got involved in the creeks which the tide was beginning to fill, and had to be brought ingloriously home by a farmer, made fast on the top of a load of sweet, salt hay.

He would tease like a child to be allowed to go. He would listen with an unsatisfied and appealing look while Joe, with an exuberant but regretful air, explained to him in detail the reasons which made it impossible for him to go. But in a few months, as the dog grew older, he prevailed, and although he would generally retire into the shelter of the cabin, he was nevertheless the boy's almost inseparable companion on the water as on the shore. The relation between the two was always touching. It evidently never crossed the dog's mind that he was not a younger brother.

Now, to complete the picture of James Parsons's household, add in this boy; for while it is but just now that he is strictly of it, he has been for years its mirth and life.

I remember that quiet household before it knew him,—cosey, homelike, with a pervading air even then of genial humor, but with long hours of silence and repose,—geraniums and the click of knitting-needles in the sitting-room; faint odors of a fragrant pipe from the shed kitchen; no stir of boisterous fun, except when some bronzed, solemn joker, with his wife, came in for a formal call, and solemnity gave way, by a gradual descent, to merriment. Joe had given no new departure, only an impulse. "James used to behave himself quite well," Mrs. Parsons would say, archly raising her eyebrows, "before Joe's time; but now there 's two boys of 'em together, and the one as bad as the other, and I can't do nothing with 'em. And then,"—with a mock gesture of despair,—"that dog!"

IV.

While Joe's mother was lying ill, and after it had become certain that she would soon leave this world forever, the question had been freely-discussed as to what her boy's future should be. In Captain Joseph Pelham's mind there was only one answer to this question,—that the lad should come to him. He bore the Captain's name; he represented the Captain's son; he should take a place now in the Captain's home.

It was now about three weeks since Joe's mother had been buried. The stone had not yet been cut and set over her grave. But the Captain thought it time to drive over to James Parsons's and take the boy. That James would make any serious opposition perhaps never entered his mind. It was a bright, charming afternoon; with his shining horse, in a bright, well-varnished buggy, the Captain drove over the seven miles of winding roads through the woods, and along the sea, to the village where James Parsons lived. He tied his horse to the hitching-post in front of the broad cottage house, went down the path to the L door, knocked, and went in.

James was sitting in a large room which served in winter as a kitchen and in summer as a sort of sitting-room, smoking a pipe and gazing vacantly into the pine-branches in the open fireplace before him. He had been out all day on his marsh, but he had been home a couple of hours. His wife—kindly soul—received Captain Pelham at the door, wiping her hands upon her apron, and modestly showed him into the sitting-room; then she retired to her tasks in the shed kitchen. She moved about mechanically for a moment; then she ran hastily out into the lean-to wood-shed, shut the door behind her, sat down on the worn floor where it gives way with a step to the floor of earth by the wood-pile, hid her face in her apron, and burst into tears.

Joe was at the wharf with his comrades playing at war.

Now, if there ever was a hospitable man,—a man who gave a welcome,—a rough but merry welcome to every one who entered his doors, it was James Parsons. He had a homely, jocose saying that you must either make yourself at home or go home. But on this occasion he rose with a somewhat forced and awkward air, laid his pipe down on the mantel-piece, and nodded to the Captain with an air of embarrassed inquiry. Then he bethought himself, and asked the Captain to sit down. The Captain took the nearest chair, beside the

table, where Mrs. Parsons had lately been sitting at her work. James's chair was directly opposite. The table was between them.

James rose and went to the mantel-piece, scratched a match upon his boot-heel, and undertook to light his pipe. It did not light; he did not notice it, but put the pipe in his mouth as if it were lighted.

It occurred to Captain Pelham now, for the first time, absorbed as he had been with exclusive thoughts of the boy, that he should first say something to this old man about the daughter whom he had lost: and he made some expressions of sympathy. The old man nodded, but said nothing.

There was silence for two or three minutes.

The subject in order now was inevitably the boy. Captain Pelham opened his lips to claim him; but, almost to his own surprise, he found himself making some common remark about the affairs of the neighborhood. It came in harsh and forced, as if it were a fragment of conversation floated in by the breeze from the street outside. Then the Captain waited a moment, looking out of the window.

James took his pipe from his mouth and leaned his elbows on the table. "Why don't you go take him?" he suddenly said: "he's probably down to the wharf. Ef you have got the claim to him, why don't you go take him? You 've got your team here,—drive right down there and put him in and drive off; if you 've got the right to him, why don't you go take him? But ef you 've come for my consent, you can set there till the chair rots beneath you."

With this, James rose and took the felt hat which was lying by him on the table, and saying not another word, went out of the door. He went down to the shore, and affected to busy himself with his boat.

There was nothing for Captain Pelham to do but to take his hat, untie his horse, and drive home.

The Captain well knew that nobody in the world had a legal right to the child until a guardian should be appointed. A plain and simple path was open before him: it was his only path. James Parsons had proved wilful and wrong-headed; there was nothing now but to take out letters as guardian of the boy. Then James would acquiesce without a word.

Immediately after breakfast the Captain went down the street. He opened his letters and attended to the first routine of business; then he went across the way and up a flight of stairs to a lawyer's office.

If you had happened to read the county papers at about this time, you would have seen among the legal notices two petitions, identical in form,—the one by Joseph Pelham, the other by James Parsons,—each applying for guardianship of Joseph Pelham, the younger of that name, with an order upon each petition for all persons interested to come in on the first Tuesday of the following month and show cause why the petitioner's demand should not be granted.

The county court-house was a new brick building, of modest size, fifteen miles from W——, and twenty miles from the village where James Parsons lived.

There were fifteen or twenty people from different towns in attendance when the court opened on the important first Tuesday. As one after another transacted his affairs and went away, others would come in. Three or four lawyers sat at tables talking with clients, or stood about the judge's desk. There was a sprinkling of women in new mourning. Printed papers, filled out with names and dates,—petitions and bonds and executors' accounts,—were being handed in to the judge and receiving his signature of approval.

The routine business was transacted first. It was almost noon when the judge was at last free to attend to contested matters. There was a small audience by that time,—only ten or a dozen people, some of whom were waiting for train-time, while others, who had come upon their own affairs, lingered now from curiosity.

The judge was a tall, spare, old-fashioned man; he had held the office for above thirty years. He was a man of much native force, of sound learning within the range of his judicial duties, and of strong common-sense. He was often employed by Captain Pelham in his own affairs, and more particularly in bank and insurance matters,—for the probate judges are free to practise at the bar in matters not connected with their judicial duties,—and Captain Pelham had always retained him in important cases as counsel for the town. He had a large practice throughout the county; he knew its people, their ideas, their traditions, and their feelings. He understood their social organization to the core.

"Now," said the judge, laying aside some papers upon which he had been writing, and taking off his glasses, "we will take up the two petitions for guardianship of Joseph Pelham."

Captain Pelham and the lawyer whom he had employed took seats at a small table before the judge; James Parsons timidly took a seat at another. His petition had been filled out for him by one of his neighbors: he had no counsel.

Captain Pelham's lawyer rose; he had been impressed by the Captain with the importance of the matter, and he was about to make a formal opening. But the judge interrupted him. "I think," he said, "that we may assume that I know in a general way about these two petitioners. I shall assume, unless something is shown to the contrary, that they are both men of respectable character, and have proper homes for a boy to grow up in. And I suppose there is no controversy that Captain Pelham is a man of some considerable means, and that the other petitioner is a man of small property.

"Now," he went on, leaning forward with his elbow on his desk, and gently waving his glasses with his right hand, "did the father of this boy ever express any wish as to what should be done with him in case his mother should die?" Nobody answered. "It would be of no legal effect," he said, "but it would have weight with me. Now, is there any evidence as to what his mother wanted? A boy's mother can tell best about these things, if she is a sensible woman. Mr. Baker," he said to Captain Pelham's lawyer, "have you any evidence as to what his mother wanted to have done with him?"

Mr. Baker conversed for a moment with Captain Pelham and then called him to the stand.

Captain Pelham testified as to his frequent visits to the boy's mother, and to her unbroken friendly relations with him. She had never said in so many words what she wanted to have done for the boy, but he always understood that she meant to have the child come to him; he could not say, however, that she had said anything expressly to that effect.

James sat before him not many feet away, in his old-fashioned broadcloth coat with a velvet collar. He cross-examined Captain Pelham a little.

"She did n't never tell you," he said, "that she was going to give you the boy, did she?"

"No, sir;" said Captain Pelham.

"How often did your wife come over to see her?"

"I could n't tell you, sir," said the Captain.

"Not very often, did she?"

"I think not," the Captain admitted.

"The boy's mother did n't never talk much about Mis' Captain Pelham, did she?"

"I don't remember that she did."

"She did n't never have her over to talk with her about what she was going to do with the boy, did she?"

"I don't know that she did," said the Captain. "She is here; you can ask her."

"You didn't never hear of her leaving no word with Mis' Captain Pelham about taking care of the boy, did you?"

"I can't say that I did," said Captain Pelham.

The old man nodded his head with a satisfied air. His cross-examination was done.

The Captain retired from the witness-stand; his lawyer whispered with him a moment and then went over and whispered for two or three minutes with Mrs. Pelham; then he said he had no more evidence to offer.

"Mr. Parsons," said the judge, "do you wish to testify?"

James went to the witness-stand and was sworn.

"Did n't your daughter ever talk about what she wanted done with the boy?"

"Talk about it?" said James. "Why, she didn't talk about nothing else. She used to have it all over every time we went in. It was all about how mother 'n me must do this with him and do that with him,—how he was to go to school, what room he was going to sleep in to our house, and all that."

Mr. Baker desired to make no cross-examination, and James's wife was called, and testified in her quaint way to the same effect.

By a keen, homely instinct James had half consciously foreseen what would be the controlling element of the case; and while he had not formulated it to himself he had brought with him one of his neighbors, who had watched with his daughter through the last nights of her life. She was one of the poorest women of the village. Her husband was shiftless, and was somewhat given to drink. She had a large family, with little to bring them up on. Her life had been one long struggle. She was extremely poorly dressed, and although she was neat, there was an air of unthrift or discouragement about her dress. She wore an oversack which evidently had originally been made for some one else; it lacked one button. She was faded and worn and homely; but the moment she spoke she impressed you as a woman of conscience. She had talked in the long watches of the night with the boy's mother, and she confirmed what James and his wife had said. There could be no question what the mother had desired.

Mr. Baker ventured out upon the thin ice of cross-examination.

"She must have talked about her father-in-law, Captain Pelham?" he said.

"Oh, yes," said the woman, "often."

"She seemed to be attached to him?"

"Yes, indeed," said the woman, quickly; "she was always telling how good he was to her; I have heard her say there was n't no better man in the world."

"She must have talked about what he could do for the boy?"

"Yes," said the woman. "She expected him to do for Joe."

"Did n't she ever say," and the lawyer looked round at James,— "did n't you ever hear her say that she was worried sometimes for fear her father would not be careful enough about the boy?"

The woman hesitated a moment. "Yes," she said, "I have heard her say so, but that 's what every mother says."

"What reason did you ever hear her give," the lawyer asked, "why she would rather have him stay over there than to go and be brought up by his grandfather Pelham?"

The woman looked around timidly at the judge. "Be I obliged to answer?" she said.

The judge nodded.

The woman looked toward Captain Pelham with an embarrassed air. He was the best friend she had in the world.

"I rather not say nothing about that," she said; "it 's no account, anyway."

"Oh, tell us what she said," said Mr. Baker.

He felt that he had made some progress up to that point with his cross-examination.

"Well, it was n't much," said the woman; "it was only like this. I have heard her say that Miss Captain Pelham was a good woman and meant to do what was right, but she was n't a woman that knew how to mother a little boy." And here the witness began to cry.

The judge moved slightly in his chair.

There was more or less rambling talk about the way the boy was allowed to run loose on the shore, and some suggestions were made in the way of conversational argument about his being allowed to go barefoot, and to go in swimming when he pleased; but the judge seemed to pay very little attention to that. "That 's the way we were all brought up," he said. "It is good for the boy; he 'll learn to take care of himself, and his mother knew all about it."

"It is plain enough," he said at last, "that there would be some advantages to the boy in going to live with Captain Pelham; but there is one thing that has been overlooked which would probably have been suggested if the petitioner Parsons had had counsel. It has been assumed that the boy would be cut loose in future from his grandfather Pelham unless he was put under his guardianship; but that is n't so. All his grandparents will look out for him, and when he gets older, and wants to go into business, here or elsewhere, Captain Pelham will look after him just the same as if he were his guardian. The other grandfather has n't got the means to advance him. I am not at all afraid about that," he said; "the only question here is, where he shall be deposited for the next five or six years. Either place is good enough. His father had a right to fix it by will if he had chosen to; but he did n't, and I think we must consider it a matter for the women to settle: they know best about such things. It is plain that his mother thought it would be best for him to stay where he is, and she knew best. He 's wonted there, and wants to stay."

Then he took up his pen and wrote on Captain Pelham's petition an order of dismissal. On the other he filled out and signed the decree granting guardianship to James Parsons, and approved the bond. Then he handed the papers to the register and called the next case.

From this day on, little was seen of Captain Pelham at James's house. Sometimes he would stop in his buggy and take the boy off with him for a little stay; but Joe soon wearied of formality, and grew restless for James, for his grandmother Parsons, for the free life of the little wharf and the shore. Life always opened fresh to him on his return.

Once and only once Captain Pelham entered James's door-yard. James was sitting in an armchair under an apple-tree by the well, smoking and reading the paper. The Captain began, this time, with no introduction.

"Fred Gooding," he said, "tells me you are talking of letting Joe go out with Pitts in his boat You know Pitts is no fit man."

"You tell Fred Gooding he don't know what he 's talking about," said James, as he rose from his chair, holding the paper in his hand. "What I told Pitts was just the contr'y,—the boy should n't go along o' him." Then his anger began to rise. "But what right you got," he demanded, "to interfere? 'T ain 't none of your business who I let him go along of. It's me that's the boy's guardeen."

"Very well," said the Captain. "Only I tell you fairly,—the first time I get word of anything, I 'll go to the probate court and have you removed!"

James followed him down the path with derisive laughter. "Why don't you go to the probate court?" he said; "you hed great luck before!" And as the Captain drove away, James shouted after him, "Go to the probate court! Go to the probate court!"

V.

There is a low, pleasant boat-shop, close on the shore of a little arm of the sea. The tide ebbs and flows before its wide double doors, and sometimes rises so high as to flow the sills; then you have to walk across in front of the shop on a plank, laid upon iron ballast. There is a little wharf or pier close at hand, the outer end of which is always going to be repaired. There are two or three other shops near by, and about them is the pleasant litter of a boat-yard. In the cove before them lie at their moorings in the late afternoon a fleet of fifteen or twenty fishing and pleasure boats, all cat-rigged, all of one general build, wide, shoal, with one broad sail, all painted white, by the custom of the place, and all or nearly all kept neat and clean: they are all likely enough to be called upon now and then for sailing-parties. Often of a bright afternoon in summer the sails will all be up, as the boats swing at their floats: then you have all the effect of a regatta in still life.

The shop faces down the bay of which this inlet is the foot, and as you look out from your seat within, on a wooden stool, the great door frames in a landscape of peaceful beauty. The opening to the sea is closed to the view. Simply you can see the two white sand-cliffs through which it makes. The bay is a mile in length, perhaps, and of half that width. From its white, sandy shores rise gentle hills, bare to the sun or covered with a low growth of woods. To the right are low-lying pastures and marshes, with here and there a grazing cow. At the head of the bay the valley of a stream can be faintly distinguished, while in the distance there is a faint suggestion of a few scattered houses on the upper waters. At one or two points masts of boats rise from the grass of the inland, and sometimes a sail is seen threading its slow way amid the trees.

The shop is a favorite resort. You may go there in the early morning, in the late forenoon, or in the afternoon; whenever you go you will find there more or less company. There is a sort of social, hospitable atmosphere about the place which is attractive in the extreme. Sometimes there is a good deal of conversation; sometimes there is a comfortable silence of good-fellowship. There is more or less knitting there and crocheting; often in the afternoon the women from near by take their work there to enjoy the view, and the fresh air which draws up there as nowhere else.

There is a good deal of religious discussion there, although the atmosphere of the shop is not entirely religious, as you may see by some of the papers lying about, and the cuts pasted up on the walls. Chief is a picture representing a scene in the life of the prophet Jonah. Jonah and the seamen are drawing lots to see who shall be cast over. Jonah has just drawn the ace of spades.

There are various other pictures on the walls,—prints of famous yachts, charts, advertisements of regattas, sailing rules of yacht-clubs. Nowhere is the science of boat-building and boat-sailing studied with greater closeness than in that shop. Many a successful racer has been built there. There are models of boats pinned up against the wall,—models which to the common eye hardly vary at all, but to a trained perception differ widely. There are oars lying about the shop, oil-skin suits, a compass, charts, in round tin cases, boat hardware, and coils of new rope.

The little pier has its periods of activity and life, like the great world outside. At three or four o'clock, in the

gray dawn, fishermen appear, singly, or two by two; there is often then a failure of wind, and they have to get out to sea by heavy rowing or by the drift of the tide. Then there is silence for some hours, and when the world awakes the cove is nearly deserted. At seven o'clock begins the life of the shop. Amateur fishermen appear,—boarders from New York or visiting sons from Brockton. Later still, little parties come down,—a knot of young fellows and laughing girls with bright-colored wraps, bound on a sailing-party to Katameset, with a matron, and with some well-salted man to steer the boat, perhaps in slippers and a dressing-gown. They go singing out to sea. Then come a party of bathers,—ladies and little children, with towels and blue suits, and all the paraphernalia of pails and wooden shovels. Then will come perhaps a couple of girls, to sketch. They will encamp anywhere upon the shore, call into their service some small amphibious creature to tip a skiff up on its side to make an effective scene, and proceed with the wonders of their art. Soon the bathers return. They have been only a little way down the narrows, and come back to dinner at one. The fishermen come in from three to four, unless they happen to be becalmed; there is a bustle then of getting out ice; of slitting and weighing and packing fish, and loading them into wagons to be carted to the railway. Then there is a lull until the sailing-parties return, perhaps at five, perhaps at six, perhaps not until the turn of the tide or the evening breeze brings them home.

All the time the quiet life of the boat-shop goes on,—its labor, its discussions on politics and religion, its criticism of yachts. All day long small boys play about the pier, race in skiffs or in such insignificant sailing-craft as may be available, and every half-hour, at the initiative of some infant leader, all doff their little print waists and short trousers and “go in,” regardless of the sketchers on the shore.

It was a bright, fresh day. The air was as clear as crystal. Joe had been gone since dawn with Henry Price. The wind had been blowing hard from the north for a dozen hours, and, as the saying is, had kicked up a sea. On the shoal the waves were rolling heavily, and since three o'clock the tide had been running against the wind, and the seas had been broken every way. But to Henry Price, and with that boat, rough seas, from March to November, were only what a rude mountain road would be to you or me. If his wife, toward afternoon, shading her eyes at the south door, ever felt anxious about him, it was a woman's foolish fear; it was only because she thought with concern of that—internal neuralgia was it?—which her husband brought back from the war; which seized him at rare intervals and enfeebled him for days. He made light of it, and never spoke of it out of the house. There was no better boatman on that shore. Let alone that one possibility of weakness, and the ocean had a hard man to deal with when it dealt with him.

They had been gone all day. It had been rough, and they would come in wet. This wind would not die down; they were sure to make a quick run, and would be in before dark.

It was late in the afternoon. James was sitting in the shop with one or two companions, engaged in a loud discussion. He had been discoursing upon all his favorite themes. He had been declaiming upon the dangers from Catholic supremacy and the subserviency of the Irish vote to the Church of Rome, and upon the absolute necessity of the supremacy of the Democratic party; upon the Apocalypse and the seven seals. He had been maintaining the literal infallibility of the Scriptures, and the necessity of treating some portions as legendary. It would be hard to say what inconsistent views he had not set forth within the space of the past hour; and all this with the utmost intensity, and yet with the utmost good-humor, always ready to acknowledge a point against himself,—the more readily if entirely fallacious,—with a burst of hearty laughter.

At last there was a pause. Something had called out of doors the two or three men who were within. There was nothing to disturb the peaceful beauty of the afternoon. It was blowing hard outside, but this was a sheltered spot, and the wind was little felt.

As James sat there silent, with no one at hand but the owner of the shop, who was busy upon the keel of a new boat, a fisherman came in and took a seat, with an affectation of ease and nonchalance; in a moment another followed; two or three more came in, then others.

The carpenter stopped his work, and shading his eyes with his hand, seemed to be looking down the bay.

There was a dead silence for a few moments. Then James spoke. But it was not the voice of James. It was not that cheery and hearty voice which had just been filling the shop with mirth. It was a voice harsh, forced, mechanical,—the voice of a man paralyzed with terror.

“Why don't you tell me?” he said; “is it Henry, or—is it the boy?”

But no one spoke.

“You don't need to tell me nothing,” he said, in the same strange tone of paralysis and fear, “I knowed it when Bassett first come in. I knowed it when the rest come in and closed in round me and did n't say nothing.”

He sat still a moment. Then he rose abruptly and turned to the landward door. He stumbled over a stool which was in his way, and would have fallen but that one of the men sprang forward and held him. He plunged hastily out of the door. Just outside, in the shade of a small wild cherry-tree, was a bucket of clams which he had dug; across the bucket was an old hoe worn down to nothing. He stopped and mechanically took up the pail and hoe. Bassett stood by the door and looked after him as he went along the foot-path toward his home. There was a scantling fence close by. He went over it in his old habitual fashion: first he set over the bucket of clams and the hoe; then one leg went over and then the other; he sat for an instant on the top slat and then slid down. He took up his burden and went his way over the fields. In a moment he was lost to sight behind a bit of rising ground. Then he reappeared, making his way over the fields at his own heavy gait, until he was lost to sight behind a clump of trees close to his own door.

They did not find Henry and the boy that night. It was not until the next day that the bodies were washed ashore. One of the searchers, walking along the beach in the early dawn, found them both. He came upon Henry first; he was lying on the sand upon his face. A little farther on, gently swayed by the rising tide, lay Joe and his dog. Joe lay on his side, precisely as if asleep; the dog was in his arms.

The boy lies in the burying-ground on the hill, near the stone and the weeping-willow which mourn the youth who met his untimely death in 1830, in the launching of the brig. There is a rose-bush at the grave, and few bright days pass in summer that there is not a bunch of homely flowers laid at its foot. It is the spot to which all Mrs. Parsons's thoughts now tend, and her perpetual pilgrimage. It is too far for her to walk both

there and back; but often a neighbor is going that way, with a lug-wagon or an open cart or his family carriage,—it makes no difference which,—and it is easy to get a ride. It is a good-humored village. Everybody stands ready to do a favor, and nobody hesitates to ask one. Often on a bright afternoon Mrs. Parsons will watch from her front window the “teams” that pass, going to the bay. When she sees one which is likely to go in the right direction on its return from the bay,—everybody knows in which direction she will wish to go,—she will run hastily to the door, and hail it.

“Whoa! Sh-h! Whoa! How d’do, Mis’ Parsons?”

“Be you going straight home when you come back? Well, then, if it won’t really be no trouble at all, I’ll be at the gap when you come by; I won’t keep you waiting a minute. It ’s such a nice, sunshiny afternoon, I thought I’d like to go up and sit awhile, and take some posies.”

*** END OF THE PROJECT GUTENBERG EBOOK BY THE SEA ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE
THE FULL PROJECT GUTENBERG LICENSE
PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg™ mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase “Project Gutenberg”), you agree to comply with all the terms of the Full Project Gutenberg™ License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

1.A. By reading or using any part of this Project Gutenberg™ electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. “Project Gutenberg” is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg™ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg™ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg™ electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation (“the Foundation” or PGLAF), owns a compilation copyright in the collection of Project Gutenberg™ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the Project Gutenberg™ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg™ License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg™ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg™ License must appear prominently whenever any copy of a Project Gutenberg™ work (any work on which the phrase “Project Gutenberg” appears, or with which the phrase “Project Gutenberg” is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg™ electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase “Project Gutenberg” associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg™ License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg™ License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg™ License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg™ License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg™ works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg™ electronic works provided that:

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, “Information about donations to the Project Gutenberg Literary Archive Foundation.”
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain “Defects,” such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the “Right of Replacement or Refund” described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you ‘AS-IS’, WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg™ work, (b) alteration, modification, or additions or deletions to any Project Gutenberg™ work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg™ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg™’s goals and ensuring that the Project Gutenberg™ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg™ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation’s EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state’s laws.

The Foundation’s business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-

1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg™ concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg™ eBooks with only a loose network of volunteer support.

Project Gutenberg™ eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg™, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.